

REMARKS

Claims 1-20 are pending in the present application. Claims 1-6, 10-13 and 15-20 have been withdrawn from consideration. Claims 7-9 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Izumi (U.S. Patent No. 4,606,313). Applicant respectfully disagrees with the Examiner's rejection.

Claims 7-9 and 14 are rejected under 35 U.S.C. § 102(b) as being anticipated by Izumi. Independent claim 7 in part requires "dithering an output signal; and generating a dithered pressure from the pressure control that displays the swashplate". Izumi does not teach this method and instead teaches a hydraulic pump 2 with a swashplate 2A that is driven by hydraulic cylinders 23A and 23B controlled by electromagnetic valves 24-27 that act in accordance with solenoids 24A, 25A, 26A and 27A. (Col. 5, lines 53 - Col. 6, line 2). A sensor 30 senses a tilting of the swashplate 2A with an output signal of the sensor 30 being fed back as the swashplate tilting signal through a wave form shaping circuit 31. (Col. 6, lines 2-9). Izumi does not discuss the use of a dithered signal as an output nor generating a dithered pressure from the pressure control that displaces the swashplate. Additionally the Izumi reference does not teach the use of an erroneous signal or noise within a signal to minimize the quantization of error within the signal. Additionally Applicant is unable to find any description of the functioning of the wave form shaping circuit 31 and its effect on the swashplate. Thus Izumi does not expressly teach nor suggest the use of a dithering output signal nor the generation of a dithered pressure from a pressure control

that displaces a swashplate. Thus Applicant respectfully requests the anticipation rejection be withdrawn and claim 7 be considered to be allowable subject matter. Additionally claims 8-9 and 14 depend on claim 7 and for at least this reason are all still considered in allowable form. Thus Applicant respectfully requests allowance of all pending claims.

CONCLUSION

If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515/558-0200.

All fees or extensions of time believed to be due in connection with this response are attached hereto; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account

Respectfully submitted,



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